

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36980 of 2020

Arising Out of PS. Case No.-1209 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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GULAB MIAN @ GULAB HASAN S/o Dhuman Mian R/o Village- Jamunia,
P.S.- Bhtaha, Distt- West Champaran

... .. Petitioners

Versus

1. The State of Bihar
2. SEEMA KHATOON W/o Gulab Mian, D/o Hanif Miyan R/o Village-
Jamunia, P.S.- Bhitaha, Distt- West Champaran, At present R/o Village-
Kapardhika, P.S.- Bhairoganj, District- West Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr.Bimlesh Kumar Pandey
For the Opposite Party/s	:	Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-04-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Tr. No. 3465/2019 (arising out of

Complaint Case No. 1209-C/2018) in which cognizance has

been taken under Sections 341, 323 and 498A of the Indian

Penal Code and Section 3 /4 of the Dowry Prohibition Act.

At the outset, learned counsel for the petitioner

has submitted that he is not averse to the talks of

settlement with his wife/opposite party No. 2, provided she



is agreeable for the same. He also wants a rapprochement and perhaps restitution of conjugal rights.

Considering the aforesaid stand of the petitioner, this Court directs that if he surrenders before the Court below within a period of eight weeks from today, he shall be released on provisional bail. While granting provisional bail to the petitioner, his wife (opposite party No. 2) shall be noticed and on her appearance, the Court below shall explore the possibilities of settlement between the spouses. In case, the settlement is arrived at, the Court below shall fix the modality of the return of opposite party No. 2 to her matrimonial home.

The provisional bail of the petitioner shall be confirmed only on settlement of dispute between the parties or in the event of the opposite party No. 2 deliberately choosing not to settle the dispute without any appropriate cause.

If the conduct of the petitioner is found to be genuine, his provisional bail shall be confirmed by the Court below.



With the aforesaid observation/direction, the application stands disposed of.

(Ashutosh Kumar, J)

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